

REQUEST FOR PROPOSAL (RFP)
Town of Arlington Zoning Bylaw Revisions
RFP # 18-30

The Department of Planning and Community Development (DPCD) acting through the Town Manager is requesting proposals from qualified individuals and firms for Consulting Services related to revising the Town of Arlington's Zoning Bylaw. Specifically, DPCD seeks proposals from consultants to review and propose revisions to the existing business zoning districts in addition to an overhaul of the existing sign bylaw.

A copy of the RFP outlining the requirements for submission is available on the Town website www.arlingtonma.gov/purchasing. For further information contact Jennifer Raitt, Director of Planning and Community Development, at 781-316-3092, or jraitt@town.arlington.ma.us. The proposal may be viewed and downloaded from the Town website www.arlingtonma.gov/purchasing.

Proposals are invited and will be received by the Purchasing Officer, Town of Arlington, Massachusetts on or before **2:00 p.m., June 14, 2018** at the Town Manager's/Purchasing Office, Town Hall Annex 2nd floor, 730 Massachusetts Avenue, Arlington, MA 02476. Proposals delivered after the appointed time and date will not be considered. A briefing on the RFP and the scope of work is scheduled June 4, 2018 at 2:00 p.m. in the 1st floor conference room, Town Hall Annex. All prospective applicants are encouraged to attend. Questions about the RFP may be submitted by June 6, 2018. Responses to questions, including those raised at the briefing session, will be sent to those requesting the RFP and posted online as addenda to the RFP.

Seven (7) copies of technical proposal and a USB drive with the technical proposal in searchable PDF format shall be submitted in a sealed envelope marked "RFP #18-30 Consultant/ Zoning Bylaw Revisions- Technical Proposal" and one (1) copy of the price proposal in a sealed envelope marked "RFP #18-30 Consultant/ Zoning Bylaw Revisions- Price Proposal".

The Town reserves the right to cancel any request for proposals, and to reject in whole or in part any and all proposals, when it is deemed in the best interests of the Town to do so.

Adam W. Chapdelaine
Town Manager

May 23, 2018

REQUEST FOR PROPOSALS
TOWN OF ARLINGTON ZONING BYLAW REVISIONS
MAY, 2018

Responses Due:

June 14, 2018 at 2:00pm
Late Responses Will Be Rejected

Deliver Complete Responses To:

Town Manager
Town Manager's/Purchasing Dept.
Town Hall Annex 2nd floor
730 Massachusetts Avenue
Arlington, MA 02476

For Further Information Please Contact:

Jennifer Raitt, 781 316-3092
Email: jraitt@town.arlington.ma.us

RFP No. 18 –30

I. OVERVIEW/ PURPOSE

The Town of Arlington, acting through its Department of Planning & Community Development (hereinafter referred to as DPCD) seeks proposals from consultants to make certain revisions to its Zoning Bylaw to address the business zoning districts and overhaul the sign bylaw.

In May 2015, the Arlington Town Meeting voted to endorse the Arlington Master Plan, “Your Town Your Future” with approximately 75% of members voting in favor of the plan. In the years, the Town has begun to implement many of the plan’s recommendations. The Master Plan set forth policy goals and strategies for the community, including the need for Zoning Bylaw amendments. A significant success was the recodification of the Zoning Bylaw, approved by Town Meeting in February 2018. This process updated and revised the Zoning Bylaw to be clearer, internally consistent, reflective of the Master Plan, and in compliance with M.G.L. Chapter 40A and current case law.

At this time, the Town of Arlington is taking on specific aspects of the Zoning Bylaw identified in a Zoning Audit and in the Master Plan itself as needing improvement.¹ As stated in the Zoning Audit, the “Zoning Bylaw has all of the traits of a frequently amended bylaw that is nevertheless fashioned around an antiquated framework.” The recently adopted recodified Zoning Bylaw provides a clear, consistent, and community-supported base to then address specific issues in the Bylaw identified through the Master Plan process. At this time, the Town of Arlington is seeking to pursue the recommendations made in the Master Plan regarding the business zoning districts and the sign regulations.

The Master Plan recommends that the business districts along Massachusetts Avenue be reorganized and consolidated. Zoning along the length of Massachusetts Avenue includes six business districts (B1, B2, B2A, B3, B4, and B5) interspersed with six residential zoning districts. Today, the multiple business

¹ The Zoning Audit can be reviewed here: <https://www.arlingtonma.gov/home/showdocument?id=28453>.

districts create a patchwork of land uses that are unpredictable, create incompatible uses, and impact access and walkability. The goals of this effort are to:

1. Consolidate and/or reorganize the business districts to give property owners the flexibility to adapt their commercial properties to rapidly changing market trends and conditions.
2. Encourage the continuity of development and cohesion of the streetscape through targeted revisions to the density and dimensional requirements.

Similarly, the Zoning Audit identified the need to overhaul the sign regulations due to uncoordinated amendments. In addition to regulations in the Zoning Bylaw, there are sign regulations located in the Town Bylaw: Title V, Article 1: Signs and Billboards, and Title VII, Article 4: Historic Districts. While consideration must be given to whether the sign regulations are found in the Zoning Bylaw or the Town Bylaw, the Town intends to ensure that regulations are clear, well-organized, responsible to current needs, straightforward to understand and administer, consistent with state and federal law, and representative of best practices in comparable communities.

The Town, through its Master Plan Implementation Committee, formed a Zoning Bylaw Working Group (ZBWG) to advance zoning bylaw amendments. The group's purpose is described further in subsequent sections of this RFP.

This effort is funded through an appropriation from Town Meeting and an allocation of the Town's CDBG Program for FY19 for a total not to exceed \$60,000.

II. BACKGROUND INFORMATION

Arlington, a former agricultural community, transformed into a streetcar suburb in the early to mid-20th Century and is now a densely developed vibrant community. Approximately 95% of the land area in Arlington is zoned residential and the remaining 5% of land is zoned commercial and industrial. The business and industrial districts are generally along Massachusetts Avenue and Broadway. Arlington has 33+ acres of protected open space.

The Town is governed by a five-member Select Board and Representative Town Meeting. Daily management is vested in a Town Manager appointed by the Select Board. Planning and development is controlled by Massachusetts General Law, the Arlington Town Manager Act, the Town Bylaws, and the Arlington Zoning Bylaw. The Arlington Redevelopment Board (ARB) has both planning board and urban renewal authority. Four members of the ARB are appointed by the Town Manager with approval of the Select Board and one member is a gubernatorial appointee. The Zoning Board of Appeals is appointed by the Select Board. Both the ARB and the Zoning Board of Appeals act as special permit granting authorities as designated in the Zoning Bylaw. The Director of Inspectional Services serves as the Town's Zoning Enforcement Officer.

The Master Plan

The Master Plan Implementation Committee (MPIC) was formed in October 2015. Members are as follows:

Name	Appointing Authority
1. Andrew Bunnell	ARB representative
2. Andrew West	ARB alternate
3. Adam Chapdelaine	Town Manager, ex officio

4. Michael Byrne	Inspectional Services, ex officio
5. Joe Barr (Co-Chair)	ARB appointee
6. Wendy Richter	ARB appointee
7. Ann LeRoyer	Town Meeting Moderator appointee
8. Peter Howard	Finance Committee appointee
9. Charles Kalauskas (Co-Chair)	Select Board appointee
10. Ralph Willmer	Select Board appointee

The MPIC has met continuously since its formation. DPCD staff work closely with the MPIC. The MPIC, as a subsidiary group of the ARB is intended to support the efforts of the ARB to advance Warrant Articles that promote growth along the commercial corridors of Massachusetts Avenue, Broadway and the Minuteman Bikeway, and to propose some modest controls on development within residential neighborhoods.

A number of near- and mid-term recommendations of the Master Plan have already been implemented. Most recently, the MPIC oversaw the recodification of the Zoning Bylaw through its Zoning Recodification Working Group. The recodified Zoning Bylaw was adopted in February 2018 at Special Town Meeting. In 2016, Town Meeting adopted proposals that encouraged mixed-use and higher-density development in the commercial corridors and reduced parking requirements for mixed-use development and multi-family housing. During that same year, the Housing Production Plan was adopted and approved by the Massachusetts Department of Housing and Community Development. In 2015, the ARB adopted "The Design Standards for the Town of Arlington." Other completed efforts include the adoption of a Complete Streets policy and regulations to preserve mature trees.

Zoning Bylaw Working Group

Any Zoning Bylaw amendments are being overseen by the MPIC through the newly-formed Zoning Bylaw Working Group (ZBWG). The Working Group is tasked with assisting staff to complete follow up resulting from the recent recodification, including amending the sign regulations, the business zoning districts, and the special permit process. These amendments will help advance key recommendations in the Master Plan and the Zoning Audit.

Membership on the Working Group includes the following members: Town Manager or his designee, one member of the Arlington Redevelopment Board, two members of the Master Plan Implementation Committee, one member of the Department of Planning and Community Development, one member of Inspectional Services, one member of the Zoning Board of Appeals, one member of the Conservation Commission, two Town Meeting members appointed by the Town Moderator, and one at-large member appointed by the Town Manager with approval of the Select Board.

III. SCOPE OF SERVICES

The Consultant will, to the maximum extent feasible, utilize existing information, reports, and studies provided by the Town. The Consultant will work closely with the DPCD and Master Plan Implementation Committee's Zoning Bylaw Working Group to:

- o Organize amendments to the business zoning districts and the sign regulations,
- o Conceive a structure and schedule of public participation activities,
- o Conceive a timeline to meet the Working Group's goals and accommodate various Town reviews, approvals, and adoption.

The Consultant will participate in committee meetings. The Consultant is not expected to attend public forums or Town Meeting. However, the Consultant is expected to prepare technical materials and presentations that DPCD staff will use to present at public meetings without the Consultant's attendance. Additionally, the Consultant will work with staff to keep town officials and the community well-informed as the process moves forward by assisting staff in implementing a successful community outreach program and providing content and materials for the Town's website.

The following outline is offered to describe the general extent of services to be provided by the Consultant. This outline is not necessarily all-inclusive, and the Consultant will include in the proposal any tasks or alternatives and services deemed necessary to satisfactorily complete the project. Consultants are encouraged to bring both industry expertise and creative ideas tested elsewhere to help the community design and implement an approach that best suits the Town.

A. Business District Amendments

The purpose of the business district amendments is to consolidate and/or reorganize the six business districts. Presently, the multiple business districts do not facilitate the goal of creating more vibrant, cohesive, and flexible business districts. The Consultant shall review the goals of the community as they relate to land use and economic development as stated in a variety of documents. Additionally, the Consultant shall review the Zoning Audit recommendations. The Consultant shall review the uses and dimensional and density regulations of the six existing business districts to identify areas for consolidation and/or reorganization. Following a review of the existing business districts, the Consultant shall propose amendments that are consistent with the community's goals. The amendments shall include all necessary components to clearly indicate the allowed and prohibited uses as well as dimensional and density characteristics.

B. Sign Regulation Amendments

The purpose of overhauling the sign regulations is to update and consolidate the existing references to sign regulations in the Town Bylaws and in the Zoning Bylaws. The Consultant shall provide legal guidance to the Town on recent case law related to sign regulation. The Consultant shall determine whether consolidated sign regulations should be located in the Town Bylaws or the Zoning Bylaws. It is expected that new regulations will include all necessary components of comprehensive sign regulations including: consistency with state and federal law, including consideration of recent, pertinent case law; standards that reflect different aesthetic, dimensional, and material needs of different property types, geographies, and the Town's historic districts; definitions; rules for sign measurements; administrative provisions; and illustrative graphics to supplement definitions and measurements.

Staff Role

Town of Arlington staff, primarily from DPCD, will be closely involved, but the Consultant is expected to devote the time needed to conduct research, write documents, and participate in meetings with staff and the ZBWG as needed. The staff will present information prepared by the Consultant at public forums and Town Meeting without the Consultant's attendance. Additionally, staff will take primary responsibility for scheduling meetings, posting notices for meetings, preparing meeting minutes, and attending all meetings. Staff will provide any reasonably necessary baseline data, the Zoning Map, the Zoning Audit, feedback on the sign bylaw received during the zoning recodification process, the Zoning Bylaw, and any other relevant materials in electronic format.²

² Some older information may only be available in a hard copy format.

IV. PROJECT SCHEDULE

Work is expected to start in July 2018. The goal is to adopt the amendments at a Town Meeting in 2019.³ The Consultant shall prepare a reasonable timeline to complete the project before October 31, 2019. The Consultant is not expected to present at Town Meeting.

A Project Briefing Session to address Consultants' questions and provide access to relevant Town plans and studies will be held in the Arlington Town Hall on June 4, 2018 at 2:00 p.m. To confirm your attendance at the project briefing session, please contact Jennifer Raitt at 781 316-3092 or by email at jraitt@town.arlington.ma.us. Any interviews with prospective consultants will be scheduled in July 2018.

V. DELIVERABLES

The Consultant will deliver one (1) copy of the Zoning Bylaw amendments and Zoning Map amendments. The final version of each deliverable should be submitted in electronic format on a CD, DVD, or USB compatible hard drive and contain a Microsoft Word compatible version, and a searchable PDF version. All images, tables and graphs used in the final version should be in Microsoft Excel compatible format, and shall include all GIS or CAD data created by the Consultant and used in maps in the final version. All materials will become the property of the Town of Arlington.

VI. CONSULTANT QUALIFICATIONS

At a minimum, the proposing firm/team must meet the following requirements:

1. The firm/project manager/team must have at least five (5) years of experience in land use law, municipal planning, public policy and administration, and community engagement.
2. The principal and project manager to be assigned to this project must be available for meetings with the Town on days or evenings, as required.
3. The firm/team must have previous experience in similar zoning projects. Successful completion of a minimum of three (3) such projects in municipalities in Massachusetts within the last five (5) years is required, and completion of five (5) overall is desired.
4. The firm/team must have previous experience in serving as a legal resource in applying case law to municipal blaws.
5. The firm/team must have proven experience in the public sector and in working with federal, Massachusetts state and municipal agencies and neighborhood/business organizations.
6. The volume of the proposed project managers and firm's current and projected workload must not adversely affect its ability to immediately initiate work and to follow through with the project in a timely and professional manner. The firm and all team members must be capable of devoting a significant amount of time to this project in order to complete the work within the schedule outlined in this RFP.

VII. SELECTION CRITERIA

The Town will award the contract to the Consultant offering the most advantageous response to this RFP, taking into consideration all evaluation criteria. The selection process will include an evaluation procedure based on the criteria identified below. Finalists will be required to appear for an interview.

³ Town Meeting dates will be determined by the Select Board. The Arlington Redevelopment Board will need to hold a public hearing prior to applicable Town Meeting deadlines.

1. Staffing Plan and Methodology, including the professional qualifications of all project personnel with particular attention to training, educational background, professional certification or registration, and professional experience. Demonstrated expertise and experience of the Principal-in-Charge, Project Manager, and other key personnel, and any Consultants to be assigned to the Project, including professional registration of the Consultants and their qualifications.

Highly Advantageous: The plan of services proposes a detailed, logical, creative, and highly efficient scheme for producing a complete project that addresses all Goals and Priorities of this project and meets all the minimum applicant qualifications detailed in Section VI, "Consultant Qualifications".

Advantageous: The plan of services proposes a credible scheme for producing a complete project that addresses all of the required issues and meets all the minimum applicant qualifications detailed in Section VI, "Consultant Qualifications".

Not Advantageous: The plan of services is not sufficiently detailed to fully evaluate, or the plan does not contain all the components necessary to produce a complete project that addresses all of the required issues and meets all the minimum applicant qualifications detailed in Section VI, "Consultant Qualifications".

Unacceptable: The plan of services does not meet all the minimum applicant qualifications detailed in Section VI, "Consultant Qualifications".

2. Depth of experience with similar zoning projects, and prior experience with public contracts and relevant zoning bylaws, land use laws, and local, Massachusetts, and Federal regulations.

Highly Advantageous: The Consultant has at least seven (7) years of experience consulting with Massachusetts municipalities on projects of similar size and scope to this project. The Consultant can demonstrate the successful completion of five (5) similar projects within the last five (5) years.

Advantageous: The Consultant has at least five (5) years of experience consulting with Massachusetts municipalities on projects of similar size and scope to this project. The Consultant can demonstrate the successful completion of three (3) similar projects within the last five (5) years.

Not Advantageous: The Consultant has less than four (4) years of experience but more than one (1) year consulting with Massachusetts municipalities on projects of similar size and scope to this project. The Consultant can demonstrate the successful completion of two (2) similar projects within the last five (5) years.

Unacceptable: The Consultant has less than four (4) years of experience consulting with Massachusetts municipalities on projects of similar size and scope to this project. The Consultant cannot demonstrate the successful completion of similar projects.

3. Ability and knowledge to serve as a legal resource to the Town as evidenced by direct involvement in applying relevant case law (i.e., Reed v. Town of Gilbert) to municipal bylaws.

Highly Advantageous: Substantial involvement, i.e. lead consultant, in each of the three types of projects specified.

Advantageous: Involvement in each of the three types of projects specified.

Not Advantageous: Involvement in at least two of the three types of projects specified.

Unacceptable: Involvement in no more than one of the three types of projects specified.

4. Strength and credibility of client references. The Consultant shall demonstrate prior client satisfaction with working relationship, project management capabilities, and technical expertise in developing similar projects.

Highly Advantageous: More than three clients who consider your services satisfactory or better.

Advantageous: Three clients who consider your services satisfactory or better.

Not Advantageous: Three or more clients not all of whom consider your services satisfactory or better.

Unacceptable: Fewer than three clients who consider your services satisfactory or better, or three or more clients who consider your services unsatisfactory.

5. Desirability of approach to the project, as well as a demonstrated understanding of all project components and public outreach needs.

Highly Advantageous: The response contains a clear, creative, and comprehensive plan that addresses all project Goals and Priorities as stated in the RFP.

Advantageous: The response contains a clear plan that addresses most of the project Goals and Priorities as stated in the RFP.

Not Advantageous: The response does not contain a clear plan to address many of the project Goals and Priorities as stated in the RFP.

Unacceptable: The response does not contain any plan to address the project objectives stated in the RFP.

6. Demonstrated ability to meet project budget and project schedule.

Highly Advantageous: All of the Consultant's references indicate that the projects were completed within budget and on schedule or with minimal, insignificant delays.

Advantageous: One of the Consultant's references indicates that the project was not

completed within budget attributable to the Consultant or with substantial delays attributable to the Consultant, and no current project or project completed in the last three years experienced substantial delays attributable to the Consultant.

Not Advantageous: Two of the Consultant's references indicate that the project was not completed within budget attributable to the Consultant or was completed with substantial delays attributable to the Consultant, and no current project or project completed in the last year experienced substantial delays attributable to the Consultant.

Unacceptable: More than two of the Consultant's references indicate that the project was not completed within budget attributable to the Consultant or was completed with substantial delays attributable to the Consultant.

VIII. SUBMITTAL REQUIREMENTS

Interested qualified firms must submit its response addressing the objectives, scope and schedule described in this RFP. Responses must include, at a minimum, each of the following:

- Twelve (12) paper copies of the technical proposal and a USB drive with the technical proposal in searchable PDF format shall be submitted in a sealed envelope marked "RFP #18-30 Consultant/ Zoning Bylaw Revisions - Technical Proposal" (Responses should be no more than 20 double-sided pages in length, single-spaced, exclusive of required forms).
 1. General description of the firm/team's experience.
 2. Description, with examples, of the firm/team's experience in working with Massachusetts municipalities' successfully amending zoning bylaws. Include reference to your experience in (1) use of visual materials to illustrate proposed future development scenarios, and (2) acting as a legal resource.
 3. A detailed scope of services for the proposed work, including the firm/team's general approach to such work, evidence of the firm/team's understanding of the goals and objectives of the project, and methodology for accomplishing the tasks as listed in this RFP.
 4. An outline of the schedule for completion of tasks (timeline) as presented in the firm/team's approach to the scope of services.
 5. Description of or resumes for the assigned staffs' experience, educational background, availability, and chain of responsibility, including the name and title of the principal and project manager assigned to the project, names of all sub-consultants, and resumes of all personnel to be associated with the project.
 6. At least three (3) references, including name, title, agency, address, description of project, project cost, and telephone number and the email address for clients with similar projects completed by the Consultant within the last five years (including dates).
 7. Other pertinent information about the firm(s) that would aid the Town in making a selection.
 8. Completed Attachments in Section X Required Forms (not included in page limit).
 9. Evidence of insurance coverage, including general and professional liability and Workers' Compensation insurance as shown in Attachment E.
- Sealed Submission, one (1) copy, clearly marked "RFP #18-30 Consultant/ Zoning Bylaw Revisions - Price Proposal".

1. Completed Price Proposal Form (attached)
2. Estimated breakdown by planning element of professional service fees (including expenses), assigned project staff and hourly billing rates of all staff assigned to provide services (including any sub-consultants).

Proposals must clearly address all the submittal requirements; that is, the response should include a section addressing all of the minimum qualifications, the minimum submittal requirements, and each of the review criteria. The proposal will be reviewed based on each of these items and it will be to the benefit of the responder to clearly address each of the items. Where the requirements specify a minimum level of experience, indicate the dates of said experience.

A Selection Committee will be convened to review proposals. Committee members will be drawn from Town staff and ZBWG members and may include other community members.

The Town reserves the right to reject any or all proposals, to waive any non- material irregularities or information in any RFP, and to accept or reject any item or combination of items. The Town also reserves the right to seek additional information and revised proposals prior to selection of a Consultant through written notice to all of the respondents.

Questions and/or comments may be submitted to Jennifer Raitt, Director of Planning and Community Development at jraitt@town.arlington.ma.us / 781 316-3092 by 4:00 PM June 6, 2018.

Responses to the RFP are due by **2 PM on June 14, 2018**. Facsimile and/or emailed responses will not be accepted. All responses should be submitted to:

Adam W. Chappelaine
Town Manager
Town of Arlington
730 Massachusetts Avenue
Arlington, MA 02476

IX. PROJECT FUNDING

Consultants must complete the attached Price Proposal Form under separate cover. Project fees must be provided for each Project Component of work as described in the Scope of Services. Fees shown will include all costs and expenses (copying, mileage, photographs, maps, etc.) to complete the Scope of Services defined in this RFP. Also, the selected Consultant will be required to submit invoices identifying hours, expenses and total cost by specific tasks. The final contract scope, price and fee will be negotiated with the highest ranked responder.

X. REQUIRED FORMS

All required forms must be submitted with the proposal.

- A. Certificate of Non-Collusion
- B. Certificate of Tax Compliance
- C. Price Proposal Form

CERTIFICATE OF NON-COLLUSION FORM
TOWN OF ARLINGTON
ZONING BYLAW REVISIONS

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signature of Individual Submitting Bid or Proposal

Name of Individual Submitting Bid or Proposal

Name of Business

Date

BY STATE LAW THIS NON-COLLUSION FORM MUST BE SIGNED AND SUBMITTED WITH THE BID OR PROPOSAL.

CERTIFICATE OF TAX COMPLIANCE FORM
TOWN OF ARLINGTON
ZONING BYLAW REVISIONS

Pursuant to MGL Chapter 62C, Section 49A, I certify under the penalties of perjury that I have complied with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

Social Security Number or
Federal Identification Number Signature and Title of Individual or
Responsible Corporate Officer

BY STATE LAW THIS CERTIFICATE OF TAX COMPLIANCE FORM MUST BE SIGNED AND SUBMITTED WITH THE BID OR PROPOSAL.

PRICE PROPOSAL FORM
(To be place in a separate sealed envelope)

**RFP #18— Consultant Services
TOWN OF ARLINGTON
ZONING BYLAW REVISIONS
Arlington, MA 02476**

CONTRACTOR Town Manager
 Town of Arlington
 730 Massachusetts Avenue
 Arlington, MA 02476

PROPOSER

PROJECT: Consultant Services for Zoning Bylaw Revisions

Proposed Price (in words): _____

Proposed Price (in numbers): \$ _____

Please attach estimated budget and breakdown by planning element of professional service fees, assigned project staff and hourly billing rates of staff.

Signed

Title

Print Name

Date Signed